



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

PAS  
F. #2018R01492

*271 Cadman Plaza East  
Brooklyn, New York 11201*

October 2, 2018

By Hand Delivery, FedEx and ECF

Steven Zissou, Esq.  
Zissou & Associates  
42-40 Bell Boulevard, Suite 302  
Bayside, New York 11361

Anthony L. Ricco, Esq.  
20 Vesey St Rm 400  
New York, New York  
10007-4240

Re: United States v. Ali Saleh  
Criminal Docket No. 18-CR-00468 (WFK)

Dear Mr. Zissou and Mr. Ricco:

Enclosed please find a letter with the government's fourth discovery production in accordance with Rule 16 of the Federal Rules of Criminal Procedure. The government also reiterates its prior requests for reciprocal discovery from the defendant.

I. The Government's Discovery

A. Documents and Tangible Objects

Please find enclosed the following prior incident reports for Defendant Saleh:

<u>Incident Report Date</u>	<u>Incident Description</u>	<u>Bureau of Prisons Location(s)</u>
7/27/14	Disobeying a Direct Order	MCC
2/26/16	Refusing to Obey a Staff Order	MDC

3/2/16	Refusing to Obey a Staff Order	MDC
3/2/16	Refusing to Obey a Staff Order	MDC
4/8/16	Threatening Harm / Refusing to Obey Staff	MDC
6/9/16	Refusing a Direct Order / Refusing to Stand Count	MDC
6/10/16	Refusing to Obey Staff Orders	MDC
6/13/16	Refusing to Obey Staff Orders	MDC
6/13/16	Refusing to Obey Staff Orders	MDC
6/13/16	Refusing to Obey Staff Orders	MDC
6/18/16	Refusing to Staff Order / Interfering with Staff Duties	MDC
6/23/16	Barricading Cell Door Window / Ignoring Staff Orders	MDC
6/23/16	Barricading Cell Door Window / Ignoring Staff Orders	MDC
6/24/16	Interfering with a Security Device / Refusing Staff Order	MDC
6/24/16	Assault on Staff	MDC
6/24/16	Assault on Staff	MDC
7/6/16	Refusing a Direct Order	MDC
7/21/16	Tampering with Security Device / Disobeying Direct Order	MDC
8/1/16	Tampering with Security Device / Destroying Government Property	MDC
8/3/16	Refusing Staff Order	MDC
8/11/16	Assault on Staff	MDC
8/23/16	Tampering with Security Device / Destroying Government Property	MDC

8/23/16	Destroying Government Property / Disobeying a Direct Order	MDC
9/18/16	Assault on Staff	MDC
10/11/16	Cell Damage	MDC
10/30/16	Manufacturing a Weapon / Threatening Staff / Disobeying an Order	MDC
12/26/16	Refusing an Order / Interfering with Count / Interfering with a Security Device	MDC
1/31/17	Fighting with Another Person	MDC
4/2/17	Assault on Staff	MDC
4/17/17	Refusing a Direct Order	MDC
4/27/17	Assault on B.O.P. Staff	MDC
5/15/17	Interfering with Staff Duties / Refusing Order / Assault	MDC
5/16/17	Assault on B.O.P. Staff	MDC
6/6/17	Assault on Staff	MDC
6/7/17	Assault on Staff w/o Serious Injury	MDC
7/1/17	Possession of a Weapon / Destroying Government Property	MDC
7/9/17	Assault on Staff w/o Serious Injury	MDC
9/16/17	Assault on Staff	MDC
9/18/17	Destroying Government Property	MDC
9/27/17	Setting a Fire	MDC
10/3/17	Assault on Staff	MDC
10/23/17	Cell Damage	EDNY / USMS
11/2/17	Attempting to Assault Staff	MDC

11/16/17	Possession of a Weapon / Destroying Government Property / Tampering w/ Security Devices	MDC
1/3/18	Assault on Staff	MDC
3/3/18	Assault on Staff	MCC
3/27/18	Attempting to Assault Staff	MDC

B. Additional Defendant Statements

On July 13, 2018 following the assault alleged in the indictment Defendant Saleh had a conversation with an MDC-Brooklyn Special Housing Unit Officer who inquired why Defendant had committed the alleged assault. In response, Defendant Saleh stated in sum and substance: it was a Muslim holy day. Defendant Saleh also stated in sum and substance that the complaining witness: was acting up

II. Future Discussions

If you have any questions or requests regarding the attached discovery, please do not hesitate to contact me.

Very truly yours,

RICHARD P. DONOGHUE  
United States Attorney

By: /s/  
Philip A. Selden  
Assistant U.S. Attorney  
(718) 254-6257

Enclosures

cc: Clerk of the Court (WFK) (by ECF) (without enclosures)